

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

17-CR-190-A

G. STEVEN PIGEON,

Defendant.

UNITED STATES' RESPONSE
TO THE DEFENDANT'S MOTION TO TRAVEL

The United States of America, through the undersigned attorneys, hereby responds to the motion filed by the defendant by letter dated April 14, 2023, seeking permission to travel (Dkt. 117) (the "Motion").

In his Motion, the defendant requests permission to travel to Naples, Florida, as soon as possible and through May 10, 2023. The defendant states that he has been engaged as a consultant to help launch the "The Golisano Institute for Business and Entrepreneurship" which is scheduled to open in September 2023 in Brighton, New York. According to the defendant, he already has traveled to Florida since his release from prison and spent 10 days meeting with Mr. Golisano to "develop the curriculum, hire administrators, staff and instructors in order to launch the school on time." Motion at 2. The defendant states that he needs to travel to Florida again to continue this work. He makes this request despite acknowledging in his Motion that, because of "a series of errors, miscommunications and misunderstandings," he did not report to Probation as required within 72 hours of his release from prison. Motion at 1.

On April 17, 2023, the United States Probation Office submitted a memorandum to the Court and counsel in which it noted that the defendant had failed to report to Probation within 72 hours of his release from prison. The Probation Office also noted that the defendant had left the Western District of New York after his release from prison and traveled to Florida for several days without permission from Probation or advising Probation about the trip. Finally, the Probation Office noted that the defendant did not submit documentation evidencing his employment agreement with Mr. Golisano and instead told Probation that he had only a “handshake agreement” with Mr. Golisano.

The government opposes the defendant’s Motion for the reasons set forth in the memorandum submitted by the Probation Office. Specifically, the defendant already has failed to comply with his conditions of supervised release by failing to report to Probation within 72 hours of his release from custody and by traveling to Florida without permission. The defendant was advised by the Court at sentencing that he had to report to Probation within 72 of his release. He was also advised in the Judgment that he could not leave the district without permission from Probation. The defendant cannot plausibly claim he did not know about these conditions. Furthermore, the defendant has failed to provide documentation substantiating his employment as a consultant in connection with The Golisano Institute for Business and Entrepreneurship. Nor has the defendant adequately explained why the referenced work preparing for the launch of the school needs to be conducted in Florida and could not be performed within the Western District of New York, where the school will be located.

Based on the foregoing, the government respectfully requests that the Court deny the defendant's Motion.

DATED: Buffalo, New York, April 20, 2023.

Respectfully submitted,

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Chief

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